

Mayday - Mayday!! Delta Levee Funding Severely Cut!! Don't Let The Delta Die!!

The Delta Flood Protection Fund, the source for the Program assisting Delta districts in levee maintenance (the Program), has a sunset clause terminating the Fund on July 1, 2006 (Water Code section 12301). Fortunately, Senator Machado was able to obtain an amendment of this section to extend this Fund until 7/1/08 (SB 264). It was hoped to obtain a longer extension, but at least the Fund (essentially exhausted) exists for two more years.

Tragically, and of utmost importance and urgency to DWR and all Delta interests, the sunset clauses for the Program's reimbursement formula in Water code sections 12986 and 12987.5 were not similarly extended. These will require a drastic reduction in assistance from this valuable Program on 7/1/06. Apparently the Senate Finance Committee felt extending the present formula was not appropriate in light of budget constraints. This was before the recent Katrina reminder as to how devastating floods can be, and with no opportunity of the Committee to understand the impact of reducing this extremely valuable Program.

This requires the immediate attention of all the Delta interests, the State Administration, the State Water Contractors, the CVP and its contractors, and all those interested in preserving the Delta in its present configuration. Immediate steps must be taken to extend the funding and cost-sharing formula for this Program at least until 2008, as SB 264 has done for the Delta Protection Fund.

A pending study of the Delta may suggest a new approach for its long-term preservation. This will, hopefully, be constructive. In the meantime, however, there is NO PRESENT ALTERNATIVE but to continue the present delta levee maintenance Program. It is a very good investment. To drastically reduce it, as the existing sunset provisions would require, is penny-wise, but clearly pound- foolish!!

This Program was established in 1973. It followed the Isleton Flood in the summer of 1972 which required large releases, over several months, from the State and Federal Project reservoirs, in order to restore the quality needed for export from the Delta. Assistance through this Program has demonstrably diminished levee failures in the Delta since that date and has been an excellent investment. The State reimbursement to Delta districts since 1973 has been about \$90,000,000. The additional contribution of the districts (from their landowners), after this partial State reimbursement has been received, has been approximately an equal amount.

Water Code section 12300 includes an "intent" of the legislature to appropriate \$12,000,000 for the Delta Protection Fund to be divided one half for assistance to local district, and one half for other special projects in the Delta identified by the Dept. of Water Resources. There has scarcely ever, if at all, been as much as \$12,000,000 to disburse. In order to gain the maximum benefit from local district contributions it must, however, be at least that amount.

Tragically, and most disturbingly, if the sunset provisions still in the Water Code sections 12986 and 12987.5 are not further extended, the program for delta levee maintenance assistance will be automatically reduced on July 1, 2006 from the previous "intent" of \$12,000,000 per year to a maximum of \$2,000,000, and the State contribution from a potential 75% (which it has seldom reached) to 50%. This would represent only about 1/6 of the potential State support under the presently authorized Program with the additional loss of ability to make a maximum use of local funds available for delta levee maintenance and improvement.

This cannot be allowed to occur. The present Program, with a proven record, must be retained at or above its present level pending a possible future modification. Not to do so will seriously jeopardize the Delta as we know it. To keep this program alive, the sections listed above must be amended before July 1, 2006, at least to extend its funding until 2008, consistent with SB 264. We must all see that this is done!!

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